

REMARKS

Claims 1-11 were examined and reported in the Office Action. Claims 1-11 are rejected. Claim 1-3 and 5-11 are amended. Claim 4 is canceled. Claims 1-3 and 5-11 remain.

Applicant requests reconsideration of the application in view of the following remarks.

I. In the Drawings

The drawings are objected to in the Office Action under 37 CFR 1.83(a) because they do not show every feature of the invention specified in the claims. Applicant has amended claim 1 to overcome the drawing objection. Approval is respectfully requested.

II. Claim Objections

It is asserted in the Office Action that claims 4 and 6 are objected to for informalities. Applicant has amended claim 1 and canceled claim 4 to overcome the informal objections.

Accordingly, withdrawal of the informal objections for claims 4 and 6 are respectfully requested.

III. 35 U.S.C. §112, second paragraph

It is asserted in the Office Action that claims 3 and 4 are rejected under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has canceled claim 4 and amended claim 1 to overcome the 35 U.S.C. § 112, second paragraph rejections.

Accordingly, withdrawal of the 35 U.S.C. § 112 rejections for claims 3 and 4 are respectfully requested.

IV. 35 U.S.C. § 103(a)

It is asserted in the Office Action that claims 1-11 are rejected under 35 U.S.C. § 103(a), as being obvious over U. S. Publication No. 2002/0101515 by Yoshida ("Yoshida") in view of

U. S. Patent No. 6,549,958 issued to Kuba ("Kuba"). Applicant respectfully traverses the aforementioned rejection for the following reasons.

According to MPEP §2142

[t]o establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. (In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991)).

Further, according to MPEP §2143.03, "[t]o establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. (In re Royka, 490 F.2d 981, 180 USPQ 580 (CCPA 1974))." "*All words in a claim must be considered in judging the patentability of that claim against the prior art.*" (In re Wilson, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970), emphasis added.)

Applicant's amended claim 1 contains the following limitations:

[a] mobile terminal having a switching function, comprising: ...wherein the image processing means includes: a connector connected to the external device through the communication line, for providing an interface; a first dual single pole single throw (SPST) connected to a first USB line of the communication line through the connector, for providing a data path to the signal processing means when the MCU selection signal is activated and providing a data path to the image processing means when the DSP selection signal is activated, a second dual SPST connected to a second USB line of the communication line through the connector, for providing a data path to the signal processing means when the MCU selection signal is activated and providing a data path to the image processing means when the DSP selection signal is activated.

Yoshida discloses a digital camera that notifies a computer that the camera is connected via a USB line of the operation that the camera is set to. In Applicant's claimed invention,

however, a dual interface means performs multi-switching based on a microcontroller unit (MCU) selection signal and a digital signal processor (DSP) selection signal. Further, in Applicant's claimed invention, a first and a second dual SPST provide a data path to the signal processing means based on the MCU selection signal and the DSP selection signal. Yoshida does not teach, disclose or suggest

[a] mobile terminal having a switching function, comprising: ...wherein the image processing means includes: a connector connected to the external device through the communication line, for providing an interface; a first dual single pole single throw (SPST) connected to a first USB line of the communication line through the connector, for providing a data path to the signal processing means when the MCU selection signal is activated and providing a data path to the image processing means when the DSP selection signal is activated, a second dual SPST connected to a second USB line of the communication line through the connector, for providing a data path to the signal processing means when the MCU selection signal is activated and providing a data path to the image processing means when the DSP selection signal is activated.

Kuba discloses an electronic camera that permits transmission and reception via a USB. Kuba simply discloses a general interface and a switch. It is asserted in the Office Action that switching between the host mode and terminal mode is interpreted as switching between microcontroller and DSP. Applicant's amended claim 1 limitations of

a first dual single pole single throw (SPST) connected to a first USB line of the communication line through the connector, for providing a data path to the signal processing means when the MCU selection signal is activated and providing a data path to the image processing means when the DSP selection signal is activated, a second dual SPST connected to a second USB line of the communication line through the connector, for providing a data path to the signal processing means when the MCU selection signal is activated and providing a data path to the image processing means when the DSP selection signal is activated

cannot be interpreted as switching between a host mode and a terminal mode. Kuba does not teach, disclose or suggest

[a] mobile terminal having a switching function, comprising: ...wherein the image processing means includes: a

connector connected to the external device through the communication line, for providing an interface; a first dual single pole single throw (SPST) connected to a first USB line of the communication line through the connector, for providing a data path to the signal processing means when the MCU selection signal is activated and providing a data path to the image processing means when the DSP selection signal is activated, a second dual SPST connected to a second USB line of the communication line through the connector, for providing a data path to the signal processing means when the MCU selection signal is activated and providing a data path to the image processing means when the DSP selection signal is activated.

Neither Yoshida, Kuba, and therefore, nor the combination of the two, teach, disclose or suggest the limitations contained in Applicant's amended claim 1, as listed above. Since neither Yoshida, Kuba, and therefore, nor the combination of the two, teach, disclose or suggest all the limitations of Applicant's amended claim 1, Applicant's amended claim 1 is not obvious over Yoshida in view of Kuba since a *prima facie* case of obviousness has not been met under MPEP §2142. Additionally, the claims that directly or indirectly depend from amended claim 1, namely claims 2-3 and 5-11, would also not be obvious over Yoshida in view of Kuba for the same reason.

Accordingly, withdrawal of the 35 U.S.C. § 103(a) rejection for claims 1-11 is respectfully requested.

CONCLUSION

In view of the foregoing, it is submitted that claims 1-3 and 5-11 patentably define the subject invention over the cited references of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes a telephone conference would be useful in moving the case forward, he is encouraged to contact the undersigned at (310) 207-3800.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly, extension of time fees.

Respectfully submitted,

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail with sufficient postage in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia 22313-1450 on March 7, 2006.


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